

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

NOV 24 2004

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BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SON KY QUAN, SAMUEL L. COFFMAN, BRUCE REID,
KEITH E. NELSON, and DEBORAH A. HAGEN

Application No. 09/928,737

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on October 27, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On July 9, 2002, appellants filed an amendment. A review of the file reveals that page 4 is missing from the applicants' remarks. The examiner must submit this missing page to the amendment before further review of this application. Appropriate correction is required.

In addition, appellants filed an Information Disclosure Statement on April 19, 2004. It is not clear from the record whether the examiner considered the statements submitted or whether the examiner notified appellants of why the submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that this application be returned to the examiner for 1) entry of page 4 of the applicants' remarks to the amendment filed July 9, 2002; 2) consideration of the Information Disclosure Statement; 3) appropriate written notification by the examiner to appellants of such consideration; and 3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

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Application No. 09/928,737

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